

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Joseph Brinson,)	
)	
Plaintiff,)	C/A No. 6:11-1709-TMC
)	
v.)	OPINION and ORDER
)	
)	
Warden Newton, Allendale C.I.;)	
Mrs. Rosa Smith, Caseworker;)	
Mrs. Hudson, Caseworker,)	
Allendale C.I.; Ms. Lee, Caseworker,)	
McCormick, C.I.,)	
)	
Defendants.)	
)	

Plaintiff, an inmate proceeding *pro se*, filed this action pursuant to 42 U.S.C. § 1983. Plaintiff is currently incarcerated in the McCormick Correctional Institution and filed this action *in forma pauperis* under 28 U.S.C. § 1915. In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(d), D.S.C., all pre-trial proceedings were referred to a Magistrate Judge. On August 16, 2011, Magistrate Judge Kevin F. McDonald issued a Report and Recommendation (“Report”) recommending that the court dismiss the Complaint in the above-captioned case without prejudice and without issuance and service of process. (Dkt. # 9). On August 16, 2011, the Magistrate Judge provided Plaintiff a notice advising him of his right to file objections to the Report. (Dkt. # 9 at 6). On September 22, 2011, Plaintiff filed objections to the Magistrate Judge’s Report. (Dkt. # 14). This matter was assigned to the undersigned on October

14, 2011.

The court is charged with making a de novo determination of those portions of the Report to which specific objection is made and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). The district court is obligated to conduct a de novo review of every portion of the Magistrate Judge's Report to which objections have been filed. *Id.* The district court need not conduct a de novo review when a party makes only general and conclusory objections that do not direct the court to a specific error in the Magistrate's Judge's proposed findings and recommendations. *Orpiano v. Johnson*, 687 F.2d 44, 47-48 (4th Cir. 1982). The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The court has carefully reviewed Plaintiff's objections and finds that his objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report, or merely restate his claims. Plaintiff fails to specifically argue where the Magistrate Judge erred in his analysis. A party's general, non-specific objection is insufficient to challenge findings by a Magistrate Judge. 28 U.S.C.A. § 636(b)(1). In the absence of specific objections, this court need not explain its reasons for adopting the Report and Recommendation.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court finds Plaintiff's objections are without merit. Accordingly, the court adopts the Report and incorporates it herein. It is therefore

ORDERED that the Complaint in the above-captioned case is **DISMISSED** without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

January 12, 2012
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.